

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. APPLICATION NO. 09/975,961
ATTORNEY DOCKET NO. Q66404

REMARKS

Applicant thanks the Patent Office for acknowledging Applicant's claim to foreign priority, and for indicating that the certified copy of the priority document, European Patent Application No. 00440281.4 dated October 18, 2000, has been made of record in the file.

Applicant thanks the Patent Office for initialing the references listed on the PTO-1449 form submitted with the Information Disclosure Statement filed on October 15, 2001, thereby confirming that the listed references have been considered.

Applicant herein cancels the original Abstract of the Disclosure and substitutes therefor a new Abstract of the Disclosure. No new matter has been added.

Claims 1-7 have been examined on their merits.

Applicant herein editorially amends claims 1-7 to conform them to U.S. practice. The amendments to claims 1-7 were not made for reasons of patentability thus do not implicate an estoppel in the application of the doctrine of equivalents.

Applicant herein adds new claims 8-20. The new claims 8-20 are supported by the originally filed specification, and do not add any new matter. Entry and consideration of the new claims 8-20 is respectfully requested.

Claims 1-20 are all the claims presently pending in the application.

1. Claims 1-7 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Kozaki *et al.* (U.S. Patent No. 5,365,519). Applicants respectfully traverse the § 102(b) rejection

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of claims 1-7, and insofar as the rejection might apply to new claims 8-18, for at least the reasons discussed below.

Kozaki *et al.* fail to teach or suggest at least the cutting of variable length data packets into segments of identical length, as recited in amended independent claim 1. Kozaki *et al.* disclose the switching of cell trains through a switching matrix, and Kozaki *et al.* define a cell as a fixed-length data packet. As shown in Figure 1 of Kozaki *et al.*, the cells are demultiplexed, transferred through a switch unit, and multiplexed back together at the outputs of the switch unit. The Patent Office argues that the input stage 20 (*i.e.*, a multiplexer) cuts the data packets into segments of constant length. The input stage 20 of Kozaki *et al.* does not perform this function, as claim 1 clearly recites that the data packets themselves are cut into segments of constant length by the input stage. In contrast, the input stage of Kozaki *et al.* is simply a multiplexer, and does not perform any cutting on the data packets to convert a data packet into a group of segments.

Based on at least the foregoing reasons, Applicant submits that claim 1 is allowable over Kozaki *et al.*, and further submits that claims 2-7 and new claims 8 and 9 are allowable as well, at least by virtue of their dependency from claim 1. Applicant respectfully requests that the Patent Office reconsider and withdraw the § 102(b) rejection of claims 1-7.

With respect to new independent claim 10, Applicant submits that new claim 10 is allowable over Kozaki *et al.*, in that Kozaki *et al.* do not teach or suggest that a memory location for storing segments is based on a clock period as measured from receipt of an initial segment

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and the modulo of the number of input ports of a switching matrix. Applicant also submits that new claims 11-16 are allowable as well, at least by virtue of their dependency from claim 10.

With respect to new claim 17, Applicant submits that new claim 10 is allowable over Kozaki *et al.* for at least reasons analogous to those discussed above for claim 1. Applicant also submits that new claims 18-20 are allowable as well, at least by virtue of their dependency from claim 17.

2. Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kozaki *et al.* in view of Prabhakar *et al.* (U.S. Patent No. 6,351,466). Applicant respectfully traverses the § 103(a) rejection of claims 5 and 6 for at least the reasons discussed below.

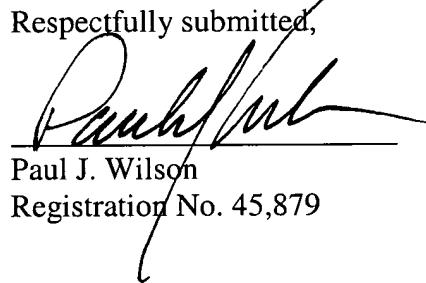
Claims 5 and 6 depend from claim 1, and therefore include all the recitations of claim 1 via their dependency. The rejection of claim 1 over Kozaki *et al.* has been discussed above, and that discussion is incorporated by reference here. Prabhakar *et al.* is cited only for its disclosure of switching variable length packets. There is no teaching or suggestion in Prabhakar *et al.*, and the Patent Office has cited none, of at least cutting of variable length data packets into segments of identical length, as recited in amended independent claim 1 and included in claims 5 and 6. Therefore, Applicant submits that claims 5 and 6 are allowable over the combination of Kozaki *et al.* and Prabhakar *et al.*, and respectfully request that the Patent Office reconsider and withdraw the § 103(a) rejection of claims 5 and 6.

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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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